

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FORTY-FOURTH DAY

APRIL 4, 2012

OFFICE OF THE CHIEF CLERK

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FORTY-FOURTH DAY

Wednesday, April 04, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Mr. John Foster of Representative Roy Takumi's office, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Hanohano, Mizuno, Thielen and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 459) was received and announced by the Clerk:

Sen. Com. No. 459, transmitting S.C.R. No. 157, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," which was adopted by the Senate on April 3, 2012.

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED:	Rep. Kawakami
	Rep. Morikawa
	Rep. Tokioka
	Rep. Souki
	Rep. Yamane
	Rep. Takumi

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 197) was announced by the Clerk and the following action taken:

H.R. No. 197, entitled: "HOUSE RESOLUTION CONGRATULATING THE RADFORD HIGH SCHOOL CHEERLEADING TEAM FOR ITS OUTSTANDING ACHIEVEMENT IN BECOMING THE 2012 NATIONAL CHEERLEADING ASSOCIATION GRAND NATIONAL CHAMPION," was offered by Representative Johanson.

Representative Johanson moved that H.R. No. 197, be adopted, seconded by Representative M. Lee.

Representative Johanson commended the Radford High School Cheerleading Team on their impressive accomplishments being named the Hawaii State Champion for seven consecutive years; National Champions in their division in seven out of twelve years; and the two-time and current National Cheerleading Association Grand National Champion.

Representative Johanson then introduced the honorees representing the team who were seated on the Floor of the House:

Coaches, Mr. Lawrence 'Bo' Frank, and Mr. Thomas Luna; and Team Captains, Ms. Kyly Antonio, Mr. Ridge Frank, and Ms. Amber Bookhard.

Representative M. Lee expressed appreciation for the cheerleaders who are not only athletes, they also participate in community service, strive for academic excellence, and are leaders among their peers and in the community.

Representative M. Lee then recognized the Radford High School Cheerleaders who were seated in the Gallery, accompanied by their parents and supporters:

Cheerleaders: Ms. Tashea Murakami, Ms. Makeala Cachola, Ms. Malia Moore, Ms. Alyssa Antonio, Ms. Kysa Fong, Ms. Jasmin Padeken-Pasigan, Ms. Jazlyn Paling, Ms. Jaclyn Ponce, Ms. Heather Shim, Ms. Victoria Deandrea, Ms. Carlee Lefor, and Ms. Khadejah Weathersby.

Parents: Ms. Darnell Paling, Mr. Stephen Paling, Ms. Vernelle Antonio and Ms. Luwana Kim.

Representative Ching also congratulated the cheerleading team and noted the value in supporting others.

Representative Awana offered her congratulations to the Ram Cheerleaders and commended them on their dedication and successful efforts as a team, including the support of their coaches, families and the community.

The motion was put to vote by the Chair and carried, and H.R. No. 197, was adopted, with Representatives Carroll, Hanohano, Keith-Agaran, Thielen and Wooley being excused.

The following resolution (H.R. No. 198) was announced by the Clerk and the following action taken:

H.R. No. 198, entitled: "HOUSE RESOLUTION CONGRATULATING THE MARYKNOLL SISTERS FOR 100 YEARS OF DEDICATED SERVICE AND OUTREACH TO HELP THOSE IN NEED AROUND THE WORLD AND TO BETTER THE LIVES OF INDIVIDUALS AND THE COMMUNITY," was jointly offered by Representatives Belatti, Aquino, Awana, Brower, Chang, Chong, Choy, Coffman, Cullen, Evans, Fontaine, Giugni, Hanohano, Har, Hashem, Ito, Johanson, Jordan, Kawakami, Keith-Agaran, Luke, Manahan, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Oshiro, Pine, Rhoads, Say, Takumi, Thielen, Tokioka, Wooley, Yamashita, Cabanilla and Herkes.

Representative Belatti moved that H.R. No. 198, be adopted, seconded by Representative Yamane.

Representative Belatti commended the Maryknoll Sisters for 100 years of relieving suffering throughout the world, and thanked them for their 85 years of serving Hawaii through their work in education, health care, social services, human and civil rights, and advocacy for women and children.

Representative Belatti then introduced the honorees representing Maryknoll School who were seated on the Floor of the House:

Mr. Perry Martin, President of Maryknoll School; and Ms. Lisa Gomes, Catholic Diocese of Honolulu.

Representative Belatti also recognized the many teachers and faculty members seated in the Gallery:

Ms. Betsey Gunderson, Ms. Shana Tong, Ms. Darcie Kawamura, Mr. Elliott Chamizo, Mr. Brad Koki, Ms. Margot Adair, Mr. Glenn Medeiros, Mr. Chris Casupang, Mr. Josh Dela Luna, and many others.

Representative Yamane introduced additional honorees seated on the Floor of the House, who were representing major programs of the Maryknoll Sisters:

Ms. Stella Wong of Catholic Charities, representing Mr. Jerry Rauckhorst who was seated in the Gallery; and

Bishop Yoshiaki Fujitani, a founding member of Project DANA, an interfaith volunteer caregivers program.

Representative Yamane then introduced the final honoree seated on the Floor of the House representing the 398 Maryknoll Sisters who have served the people of the State of Hawaii:

Sister Joane Chatfield, M.M., Regional Contact Person for the Maryknoll Sisters in the Central Pacific Region.

Representative Yamane also recognized Maryknoll Sisters seated in the Gallery, as well as students and alumni including Representative Della Au Belatti:

Sisters Rosalinda Barrozo, Isabel Rabbon, Eleanor Killion, Rosario Daley, Paulette Yeung, Yoo Soo Kim and Ardis Kremer.

Representative Takumi noted the good work of the Maryknoll sisters both in Hawaii and in many countries around the world.

Representative Ching expressed her gratitude for the work of the Maryknoll Sisters in service to our community.

Representative Pine thanked the sisters of Maryknoll School for instilling values in her family which help guide her today.

The motion was put to vote by the Chair and carried, and H.R. No. 198, was adopted, with Representatives Carroll, Hanohano, Keith-Agaran, Thielen and Wooley being excused.

At 12:36 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m., with Vice Speaker Manahan presiding.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Hanohano, Keith-Agaran and Thielen were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1445-12) recommending that S.B. No. 2419, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2419, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1446-12) recommending that S.B. No. 2221, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2221, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1447-12) recommending that S.B. No. 2871, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2871, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSE," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

At 12:45 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2419, SD 2, HD 3

S.B. No. 2221, SD 1, HD 1

S.B. No. 2871, SD 1, HD 2

REPORTS OF STANDING COMMITTEES

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1510-12) recommending that S.B. No. 2909, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1511-12) recommending that S.B. No. 3002, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 3002, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Pine

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3002, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Hanohano, Keith-Agaran and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1512-12) recommending that H.R. No. 138, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.R. No. 138, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. McKelvey

TO BE INSERTED: Rep. McKelvey
(Submit by Tuesday, April 10)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONVENE A LEGISLATIVE TASK FORCE TO ASSESS THE IMPACT OF THE POTENTIAL SALE OF THE TESORO OIL REFINERY ON CONSUMERS AND THE STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1513-12) recommending that H.R. No. 41, be adopted; and

(Stand. Com. Rep. No. 1514-12) recommending that H.C.R. No. 61, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 41; and H.C.R. No. 61, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Rivière

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 41, entitled: "HOUSE RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was adopted, with Representatives Carroll, Hanohano and Thielen being excused; and

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF DECLARING THE SERPENT'S HEAD COWRY SHELL AS THE HAWAII STATE SEA SHELL," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1515-12) recommending that H.R. No. 126, be adopted; and

(Stand. Com. Rep. No. 1516-12) recommending that H.C.R. No. 162, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 126; and H.C.R. No. 162, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Har

TO BE INSERTED: Rep. Har
(Submit by Tuesday, April 10)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Carroll, Hanohano and Thielen being excused; and

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1517-12) recommending that H.C.R. No. 84, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 84, HD 1, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ching
Rep. Cabanilla

Rep. Pine

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 84, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1518-12) recommending that H.R. No. 119, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1519-12) recommending that H.C.R. No. 155, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 155, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING HAWAII AS A HUMAN RIGHTS STATE," was adopted, with Representatives Carroll, Hanohano and Thielen being excused.

THIRD READING

S.B. No. 2698, SD 1, HD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Hanohano and Thielen being excused.

S.B. No. 2759, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, S.B. No. 2759, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Hanohano and Thielen being excused.

At 12:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2698, SD 1, HD 1
S.B. No. 2759, SD 1

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. M. Lee
Rep. Ward
Rep. Belatti

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.
Nos. Referred to:

4 Committee on Health, then to the Committee on Finance

- 15 Committee on Transportation, then to the Committee on Finance
- 49, SD1 Committee on Transportation, then to the Committee on Finance
- 50 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business
- 78 Committee on Education, then to the Committee on Finance
- 79 Committee on Education, then to the Committee on Finance
- 101 Committee on Health
- 104 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
- 106, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 130 Committee on Housing, then to the Committee on Finance
- 135 Committee on Agriculture, then to the Committee on Finance
- 142 Committee on Human Services, then to the Committee on Finance

ADJOURNMENT

At 12:58 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 05, 2012. (Representatives Carroll, Hanohano and Thielen were excused.)